

DEPARTMENT OF STATE

Memorandum of Conversation

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DATE: January 21, 1970

White House

SUBJECT: Symington Subcommittee Hearings

PARTICIPANTS: John D. Ehrlichman
Henry A. Kissinger
Ambassador Green
John R. Stevenson
Kenneth E. Belieu
COPIES TO: Egil Krogh
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The decisions reached at this meeting were as follows:

1. Ground rules for Symington Subcommittee Hearings.

It was agreed that Mr. Stevenson would attempt to reach agreement with Senator Symington on the following general rules:

a. Subjects on which no testimony would be given

1) Nuclear weapons deployment, including any discussion of arrangements relating to, and political aspects of such deployment.

2) Contingency and operational military plans.

3) Additional especially sensitive matters to be discussed with the Chairman on an ad hoc basis.

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b. Subjects to be covered by special security procedures

- 1) Intelligence operations.
- 2) Policy materials undergoing active policy review, e.g., base alternatives and Psyops.
- 3) Other sensitive subjects by agreement with the Chairman on ad hoc base.

The special procedures will be as follows:

(i) Only one tape and one transcript will be made.

(ii) The tape and transcript will remain in the custody of the executive branch.

(iii) Subcommittee members and staff will be given full access to the transcript.

(iv) Such portions of this transcript as are declassified will be made available for publication.

While it would be desirable to obtain a written agreement on these matters, Mr. Stevenson was doubtful that this could be achieved in view of the difficulties Senator Symington had had with the Committee Chairman because of his prior agreement. Mr. Ehrlichman indicated that the President and the White House staff were of the view that the President had had an agreement with Senator Symington on nuclear weapons which related to all countries and not merely to the Philippines.

2. Transcripts

Mr. Green reported that he had advised Senator Symington that any declassification of information going beyond the President's public statement with respect to our operations in Laos would require a decision by the President. He

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indicated that a number of points, mostly matters of inconsistency or clerical in nature, were raised with respect to the Taiwan testimony and inquired as to whether the White House wished us to bring the few points of substance to them for review. It was concluded that this would not be necessary as long as we at State were satisfied with any proposed change and that it was not inconsistent with the specific guidelines laid down by the White House working group.

Mr. Green considered it important that we try to work these problems out amicably with Senator Symington. In some cases there might be little chance of agreement (like full disclosure of U.S. military role in Laos), but in other cases (e.g. corrections in Taiwan testimony for transcript release), the Symington Committee had made a number of suggested changes that had merit.

3. State-Justice Memorandum on Executive Privilege

The Memorandum was approved and Mr. Stevenson was authorized to distribute it to the committee if Senator Fulbright requested such a memorandum as he has in the past or it appeared desirable to do so for other reasons. However, he was not to volunteer it.

4. Hearings on Okinawa and Japan

It was agreed that Under Secretary Johnson would take up with Senator Symington the three topics on which it was desired to avoid not only testimony but any staff or Senatorial questions.

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